

REMARKS

In response to the Office Action dated Sep. 22, 2006, Applicants submit the following remarks. Claims 31 – 50 are pending in the Application, and these same claims have been rejected. Claims 31, 33-42, and 44-50 stand rejected under 35 U.S.C. 102(e) over U.S. Patent publication No. 2003/0128099 (Cockerham), and claims 32 and 43 stand rejected under 35 U.S.C. 103(a) over Cockerham in view of U.S. Patent publication No. 2002/0010604 (Block). Applicants herein amend claims 31, 36, 39, 42, 43, and 45-47, cancel claim 50, and present new claim 51. No new matter is added. As a result, claims 31-49, and 51 are pending. Further examination and review in view of the amendments and remarks below are respectfully requested.

Telephonic Interview

On January 24, 2007, the undersigned and Patent Attorney Grzegorz S. Plichta Registration No. 55,541 conducted a telephonic interview with Examiner Mark Fadok. During the interview, the prior art of record and possible amendments to independent claim 31 was discussed. Although no specific agreement was reached regarding claim 31, the Examiner's helpful remarks have lead the undersigned to amend the independent claims in the fashion shown above in the listing of the claims.

Priority

Applicants claim for priority to Application No.'s 09/645,086 (filed August 24, 2000), 09/567,716 (filed May 10, 2000), 09/564,386 (filed May 3, 2000), and 09/465,729 (filed December 17, 1999) has been denied because the disclosures of the prior filed applications allegedly fail to provide adequate support for "order/assigning security clearance for a particular venue from a plurality of venues." Applicants respectfully submit that the above referenced applications disclose adequate support for the present application.

Applicants submit that priority to Application No.'s 09/645,086, 09/567,716, 09/564,386, and 09/465,729 is proper because "order/assigning security clearance for a particular venue from a plurality of venues" is supported by the prior filed applications. As

stated in the present application, “the product ordered by the customer may be characterized as ... security clearance.” (Application at p. 12, paragraph [0148]), and security clearance includes “verify[ing] the customer's ID based upon all of the information in expanded database 70E, including voice recognition and identification protocols.” (Application at p.12 paragraph [0144]). A system capable of ordering products and verifying customers’ identities is supported in Application No.’s 09/645,086, 09/567,716, 09/564,386, and 09/465,729. For example, Application No. 09/564,386 discloses a system for verifying the identity of a customer wherein “the customer is automatically prompted to provide information ... and the provided information is [used] to *verify* the identity of the customer placing the call.” (Application No. 09/564,386 at p. 13 lines 18- 24)(emphasis added). Accordingly, at least for this reason, Applicants maintain that the right to priority to Application No.’s 09/645,086, 09/567,716, 09/564,386, and 09/465,729 is proper.

Claim Rejections – 35 U.S.C. §§ 102(e)/103(a)

Claims 31, 33-42, and 44-49 stand rejected under 35 U.S.C. 102(e) over Cockerham, and claims 32 and 43 stand rejected under 35 U.S.C. 103(a) over Cockerham in view of Block. Applicants respectfully traverse these rejections.

Applicants submit that Cockerham is not prior art for at least the following reasons. First, Applicants submit that the cited portion of Cockerham relied upon by the Examiner in rejecting the claims (specifically, paragraph 0033 of Cockerham) is not supported by Cockerham’s priority provisional application No. 60/324,885. As such, the cited portion of Cockerham relied upon by the Examiner is not entitled to the priority date of September 26, 2001, but, rather, is only entitled to Cockerham’s filing date of September 26, 2002. Notwithstanding Applicants’ claim of priority to Application No.’s 09/645,086, 09/567,716, 09/564,386, and 09/465,729, because the present application was filed on October 12, 2001, which predates Cockerham’s filing date, Cockerham is not prior art under § 102(e). Second, Applicants maintain that priority to Application No.’s 09/645,086, 09/567,716, 09/564,386, and 09/465,729 is proper, and that the present application is entitled to a priority date of at least May 3, 2000 based upon the discussion above regarding the disclosure of Application No. 09/564,386. Notwithstanding Applicants’ position that the portions of Cockerham relied

upon by the Examiner are not disclosed in Cockerham's priority provisional application No. 60/324,885, since Cockerham's earliest possible priority date is September 26, 2001 based upon its claim of priority to Application No. 60/324,885, Cockerham is not prior art because Applicants' application is entitled to a priority date of at least May 3, 2000.

Accordingly, Applicants request the withdrawal of the rejection of claims 31-49. Furthermore, because the rejections were based on an improper reference, Applicants accordingly believe that any subsequent Office Action cannot be made final.

Although Applicants submit that Cockerham is not prior art under § 102(e), in order to expedite prosecution of the present application, Applicants will address the Examiner's rejections made in the present Office Action. While Applicants regard independent claims 31 and 42 to be patentable over Cockerham in their present form, Applicants herein amend claims 31 and 42 to further clarify Applicants' techniques. With respect to claim 31, amended claim 31 recites, in part:

an interface for receiving orders for products, services, and security clearances provided by a plurality of merchants and venues, said interface receiving a security clearance order from a device remote from said plurality of venues, wherein said security clearance order applies to a venue selected from said plurality of venues, wherein ordering the security clearance results in at least a verification of an individual's identity; and

a transaction module for routing the verification to a check-point, wherein the verification of the individual's identity occurs before the arrival of the individual at the check-point, and wherein the verification of the individual's identity before the arrival of the individual enables said check-point to expedite entry into the venue.

With respect to claim 31, Applicants respectfully submit that claim 31 patentably defines over Cockerham for at least the following reason. In the present Office Action, the Examiner stated "Cockerham teaches registering for permission to enter a *plurality of venues* from a remote point ... this registration information being made available at check-points." (Office Action, dated Sep. 22, 2006 at p. 2). Applicants submit claim 31 patentably defines over Cockerham because claim 31 at least in part recites: "an interface for receiving orders for *products, services, and security clearances provided by a plurality of merchants and venues*, said interface receiving a security clearance order from a device remote from said plurality of venues." (Emphasis added). Although Cockerham teaches that "registered [passengers] may be required to obtained [sic] electronic credentials prior to arriving at a

point of entry” (Cockerham at p. 3, paragraph [0033]), Cockerham does not disclose that passengers may obtain credentials by connecting to a system and ordering “*products, services, and security clearances provided by a plurality of merchants and venues*” (emphasis added) from the same interface. Accordingly, Applicants respectfully request reconsideration of the rejection.

Insomuch as claims 32- 41 depend directly or directly from claim 31, they to patentably define over the art. Accordingly, Applicants respectfully request reconsideration of these rejections.

With respect to independent claim 42, amended claim 42 recites similar elements as independent claim 31 and is patentably distinct from Cockerham for at least the reasons discussed above. Accordingly, Applicants respectfully request reconsideration of the rejection.

Insomuch as claims 42-49 depend directly or directly from claim 42, they to patentably define over the art. Accordingly, Applicants respectfully request reconsideration of the rejection.

Newly added claim 51 recites elements which are neither taught nor suggested by Cockerham or Block. Moreover, Applicants respectfully submit that claim 51 is supported by the application as filed. For example, claim 51 recites, in part, “transmitting said multi-digit code to an identity verification system, wherein said multi-digit code was previously given to said customer by said identity verification system after said customer had ordered security clearance for a particular venue from a plurality of venues.” Applicants submit that the application as filed, for example, at least at paragraphs [0144] and [0145], contain sufficient disclosure to enable one skilled in the art to make and use the method for expediting security as recited in claim 51.


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PATENT

CONCLUSION

Applicants request the Examiner reconsider the rejections and issue a Notice of Allowance of all of the claims. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned.

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